

Doc# 20090018358

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

11316 LINDENWOOD
EL PASO, TX 79936

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN
(Vendor's Lien Reserved and Assigned to Third Party Lender)

STATE OF Texas
COUNTY OF El Paso

THAT THE UNDERSIGNED, UNITED STATES OF AMERICA, hereinafter called "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned in hand paid by the Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by the Grantee of that one certain promissory note ~~of \$252,700.00~~ herewith in the principal sum of \$ 252,700.00, payable to the order of GECU as therein specified, providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust ~~of \$252,700.00~~ herewith to Steve Anderson, TRUSTEE, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto ARMANDO ARMENDARIZ and YVETTE G ARMENDARIZ, 11316 LINDENWOOD, EL PASO, TX 79936, herein referred to as the "Grantee", whether one or more, the real property described as follows, to-wit:

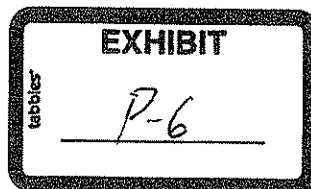
LOT 5, BLOCK 9, KIMBERLY HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF ON FILE IN BOOK 12, PAGE 55, PLAT RECORDS OF EL PASO COUNTY, TEXAS.

This conveyance, however, is made and accepted subject to any and all restrictions, encumbrances, easements, covenants and conditions, if any, relating to the hereinabove described property as the same are filed for record in the County Clerk's Office of El Paso County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

But it is expressly agreed that the Vendor's Lien, as well as Superior Title in and to the above described premises, is retained against the above described property, premises, and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute. GECU ("Lender"), at the instance and request of the Grantee herein, having advanced and paid in cash to the Grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinabove described Note, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said Lender and the same are hereby TRANSFERRED AND ASSIGNED to said Lender, its successors and assigns. Grantor covenants to specially warrant the title to the Property hereby conveyed against any claim or action arising from the case styled "UNITED STATES OF AMERICA v. REAL PROPERTY LOCATED AT 11316 LINDENWOOD, EL PASO, TEXAS, WITH ALL BUILDINGS, APPURTENANCES, AND IMPROVEMENTS THEREON," Case No. EP-07-CV-187-KC, in the United States District Court Western District of Texas, El Paso Division, the Order, dated July 16, 2008, having been recorded as Document #20080074120 in the Official Public Records of El Paso County, Texas and such property being the same property conveyed to Grantor by virtue of that certain Order described herein.

TX-SWDVL/US Marshall



TX-086929
11316 LINDENWOOD
EL PASO, TX 79936

EXECUTED this 8th day of January, 2009.

UNITED STATES OF AMERICA

By : [Signature]
Title: Brett Thomas, Supervisory Deputy U.S. Marshal

STATE OF TEXAS
COUNTY OF Harris

BEFORE ME, the undersigned Notary Public, on this day personally appeared Brett Thomas, Supervisory Deputy U.S. Marshal, of UNITED STATES OF AMERICA, personally known to me (or proved to me on the oath of _____, or through official identification described as _____) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

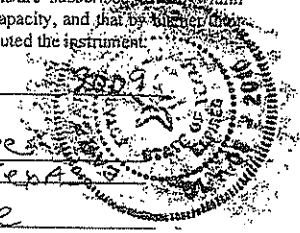
Given under my hand and seal of office this 8th day of January, 2009.

My Commission Expires:

01-09-2010

Barbara Lowe
Notary Public for the State of Texas

Barbara Lowe
Printed Name of Notary Public



RETURN TO:
ARMANDO & YVETTE G ARMENDARIZ
11316 LINDENWOOD
EL PASO, TX 79936

PREPARED BY:
Barrett Duffin Frappier Turner and Engel, L.L.P.
15000 Surveyor Blvd., Suite 100
Addison, TX 75001

PLACE OF CLOSING:
FIRST FIDELITY TITLE
17480 NO DALLAS PKWY, SUITE 121
Dallas, TX 75287

Doc# 20090018358
#Pages 2 #INFPages 1
3/19/2009 9:41:10 AM
Filed & Recorded in
Official Records of
El Paso County
Della Briones
County Clerk
Fees \$20.00

3

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



EL PASO COUNTY, TEXAS

Della Briones

File a Motion:

12-03012-hcm DHC Realty, LLC et al v. Armendariz et al

Type: ap Office: 3 (El Paso) Judge: hcm

Lead Case: 3-11-bk-30977

Please note the document number and
click following link to upload the proposed order.
Upload Order

U.S. Bankruptcy Court

Western District of Texas

Notice of Electronic Filing

The following transaction was received from Corey W. Haugland entered on 1/22/2013 at 7:26 PM
POST and filed on 1/22/2013

Case Name: DHC Realty, LLC et al v. Armendariz et al

Case Number: 12-03012-hcm

Document Number: 47

Docket Text:

Motion Plaintiffs' Motion to Compel and for Sanctions Against Armando Armendariz Filed by Corey W. Haugland for Plaintiffs David Chowaiki, Chowaiki Holdings, LLC, DHC Realty, LLC, El Paso DHC Enterprises Far East, LLC, El Paso DHC Enterprises West, LLC, El Paso DHC Enterprises, LLC. (Attachments: # (1) Exhibit Exhibit P-1# (2) Exhibit Exhibit P-2# (3) Exhibit Exhibit P-3# (4) Exhibit Exhibit P-4# (5) Exhibit Exhibit P-5# (6) Exhibit Exhibit P-6) (Haugland, Corey)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:_0122181213_001.pdf

Electronic document Stamp:

STAMP bkecfStamp_ID=988230274 [Date=1/22/2013] [FileNumber=18259137-0
[15d116cba2557d6ff0ca00cee45d9aeff0c932bbb5dc323a1ab5d3f0f026a782452
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Document description:Exhibit Exhibit P-1

Original filename:_0122181241_001.pdf

Electronic document Stamp:

STAMP bkecfStamp_ID=988230274 [Date=1/22/2013] [FileNumber=18259137-1
[909a3460b1efb847bc7941b0e82de7538eb8f2fe2d64239fbd808c37cbd5a2f70bb
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Document description:Exhibit Exhibit P-2

Original filename:_0122181302_001.pdf

Electronic document Stamp:

STAMP bkecfStamp_ID=988230274 [Date=1/22/2013] [FileNumber=18259137-2
[4ce232c7d60f1d949b3d10196f7f3e144e35bc0381beb2780b91ec7b9f7cfc57eae
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Document description:Exhibit Exhibit P-3

Original filename:_0122181328_001.pdf

Electronic document Stamp:

STAMP bkecfStamp_ID=988230274 [Date=1/22/2013] [FileNumber=18259137-3
[99eace2eb776ef5742e65374f0662b0a4bafcd38f08846a0db33030fb803dff09b
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Document description:Exhibit Exhibit P-4

Original filename:_0122181346_001.pdf

Electronic document Stamp:

STAMP bkecfStamp_ID=988230274 [Date=1/22/2013] [FileNumber=18259137-4
[47102c501be27166e2bebb423e0e900859acfb4b7b7675a49681410e4d87e8ca2d2
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Document description:Exhibit Exhibit P-5

Original filename:_0122181402_001.pdf

Electronic document Stamp:

STAMP bkecfStamp_ID=988230274 [Date=1/22/2013] [FileNumber=18259137-5
[3c22b89a68b948a5fcd398f06efd1675d0429895f7adb759219f3010e51e87f4972
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Document description:Exhibit Exhibit P-6

Original filename:_0122181428_001.pdf

Electronic document Stamp:

STAMP bkecfStamp_ID=988230274 [Date=1/22/2013] [FileNumber=18259137-6
[7d039eb0e69b284f8eb25daed7248d8a3731394f2989dff894795bc77f2ad47dfbf
fd8dc7dcea5477592ca11b82b8ca82cf89ec01b4897f8a2968528fcbd556]]

2-03012-hcm Notice will be electronically mailed to:

Sidney J. Diamond on behalf of Counter Claimant Armando Armendariz
sbc@sidneydiamond.com

Dorey W. Haugland on behalf of Counter Defendant Chowaiki Holdings, LLC
haugland@jghpc.com

Christopher Robert Johnston on behalf of Defendant Armando Armendariz
johnston@f-jlaw.com, mwoods@f-jlaw.com

2-03012-hcm Notice will not be electronically mailed to:

Galerie Wenger
Office of the U.S. Trustee
303 San Jacinto Blvd., Suite 230
Austin, TX 78701

